



Incline Village Crystal Bay Citizens Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the Incline Village Crystal Bay Citizens Advisory Board meeting held at Incline Village General Improvement District, 893 Southwood Blvd, Incline Village, NV 89451 on July 24, 2017, 5:30 P.M.

1. ***CALL TO ORDER/ PLEDGE OF ALLEGIANCE** – Pete Todoroff called the meeting to order at 5:30 P.M.

2. ***ROLL CALL/DETERMINATION OF A QUORUM** - Judy Miller, Pete Todoroff, Tom Cardinale, Andrew Wolf, Gerry Eick, Kevin Lyons. A quorum was determined. **Absent:** Mike Sullivan

3. ***PUBLIC COMMENT** –

Wayne Ford said he spoke to Rich Thompson from Roads, and they are looking for a location to stored towed vehicles. Wayne also spoke about the Orbit station. They must be in compliance with temporary BMPs. There are oils and fluid discharged. Corn logs don't work. They should have been logged. They need a slotted drain for heavy rainstorms. The storm drain is close and goes right into the lake. This mistreatment of oils will end up into the lake. TRPA must not be enforcing their code. The amount of water in a heavy event is tremendous. Every home is required a slotted drain for one or two cars.

Rick Hutchins spoke about item 8A, regarding to a garage. He said he is the president of the HOA of complex nextdoor. He believes the proposed variance encroaches on his setback. He isn't oppose to them building it, but to shoehorn in a two car garage between our unit and theirs with so little room between the existing buildings doesn't seem sufficient. It can be dangerous for the following reasons: the record snowfall year, and the snow can fall of the roof pitch. He said there is a fire safety issue. Esthetics of the neighborhood doesn't fit. He said the other complexes on the street are done well. Not oppose to building garage, just not in this location.

Coral Johnson spoke about the same variance as Rick. Putting a garage in the location, it would be jammed in there. There is room on the other side of the building. We aren't opposed to the garage, just not in that location.

DJ Smith said he opposes half of this variance. He said he has lived here since 1988. He lived in Greenview HOA for 19 years and moved in unit 1 of our HOA since 2006. It's important you realize we live for 18 years without a garage. We understand their desire for a garage. A 4-car garage is best placed in another location. In the picture he handed out, he noted the boat location. The home is only 26 feet from the corner of his garage. They are proposing a 19 foot garage. Which leaves nothing left. We would like to clarify that we support the other location. He showed the other location on a picture; 40 feet available for the garage that wouldn't have the snow, fire, esthetic issues. It would have adequate space. It's a tight space, and blocks the views from 5 of his windows, it's a constant eye sore, no space for snow removal, fire safety hazard, and there is a solution which our HOA would support.

Andy Whyman said he wanted to add to the cascade of issues with Waste Management. He said he has lived here for 15 years, and had his trash was not picked up. Andy also said there are cars piled up going east of the Hyatt, parked over the white line. The open culverts with rocks are being knocked into the culvert. There is a substance abuse issue in this area and the County. He said it's

not discussed. There is lack of resources up here. The County needs to provide the resources. I'm aware of the huge problems and discuss that issue.

Margaret Eadington said she lives at 25 Somers Loop. She would like the 'no trespassing' sign and cameras taken down. We requested it to Commissioner Berkbigler. She said it would take a year for the vegetation to grow back. That was over a year ago. We would like the signs to be taken down.

4. APPROVAL OF AGENDA FOR THE MEETING OF JULY 24, 2017 - Gerry Eick moved to approve the agenda. Kevin Lyons seconded the motion to approve the agenda. Motion passed unanimously.

5. APPROVAL OF THE MINUTES FOR THE MEETING OF OCTOBER 14, 2016 AND MARCH 27, 2017– Gerry Eick moved to approve the minutes of March 27, 2017. Judy Miller seconded the motion to approve the minutes of March 27, 2017. The motion passed unanimously. The October 2016 meeting minutes have been tabled.

6. ENVIRONMENTAL IMPROVEMENT PROJECT UPDATE – Kris Klein, Washoe County Community Services Department Engineering Division will provide an update on environmental improvement projects in the Incline Village area including construction timeline. For more information, please contact Washoe311 at (775) 328–2003 or 3-1-1.

Kris Klein, Senior licensed engineer, gave an update on Environmental Improvement Projects.

She gave an overview of the project which has changed over 5 years.

Interlocal agreement – federal improvement with maximum daily load of pollutant limit into the lake of fine sediment, nitrogen and phosphorous. There is a 65 year time frame for storm load reduction. TMDL approved back in 2006. The goals are to reduce load in storm water which only counts for urban storm water, but doesn't account for streams. It deals with urban land across the lake. Each governmental jurisdiction handles it. Federal government permit. We are working with Nevada Environmental Protection for interlocal agreement.

Washoe County has had a history with Water Quality projects. Starting in 2013, the focus dialed into the fine sediment. Prior to that, the project was treating erosion (source control). Projects needed pretreatment and final treatment. Incline is unique; it's very steep. Some other jurisdictions have wetlands to help with filtrations. A big hurdle to meet this goal with interlocal agreement is that the projects have been grant funded with federal lands and forest service erosion control which have been allocated, but program is shutting down. That program will cease to exist. With the Lake Tahoe Restoration act, there will be more money available for Water Quality programs. There isn't a good source of federal money. We need a good source for polish and maintenance. We have had high efficiency of street sweepers to gather fine sediment which is grant funded; salt grid solution machine is also grant funded. We are looking for ways to fund for construction and long term maintenance. We launched for alternative funding of polishing storm water. Website of TRPA: eip.laketahoeinfo.org. It lists all the environmental improvements lake wide. Washoe County has cued up some of those projects that haven't been funded.

East Incline village Phase one is under construction, and was slated to be complete on August 11. We are currently addressing some ditch issues that are not safe. The ditches with a solution. Ongoing process over the week. We don't know what it will be yet. We have put up barricades for those ditches not in compliance to come back and address the issues.

Pete Todoroff asked about the Orbit Station sediment run off during the melting snow. They don't have the appropriate BMPs. He said the run off goes into the lake. He also spoke about the Tahoe

Keys. Kris said she wasn't familiar with the property, but will reach out to her contacts at TRPA regarding the BMPs on the property.

Gerry Eick asked about the specific locations of the unsafe ditches. People are concerned about the upcoming school year for ditches and remediation. Kris said she is new to the project and is looking at areas on Incline Way. A public member said there are ditches in Mill Creek as well that need attention. School starts August 21st. Kevin Lyons asked about the expectations of remediation; will it be done by August 11. Kris said she doesn't know yet. She said we are working to address concerns before new constructions in acceptable manner. She said they flagged everything and are working with engineers to mitigate the situation.

Andy Whyman asked if the County has asked about the federal cutbacks on these projects. Kris that's what made us launch a study. we are concerned. She said as they construct the project and sweep the streets and abrasive controls we have, we have to run it through a computer program that estimates how much sediments we have prevented from going into the lake. Our street sweep project and report back regarding the environmental protection. We will test basins on an annual basis.

A public member asked about the BMP maintenance for rock lined ditches. Kris said once the ditch is registered, it would be annual maintenance. She said the software is new, but has bugs. It's been a slow process. If it's conveyance, there will be regular maintenance. The public member asked about accumulation of pine needles – it's a contributor to conveyance. Kris said it depends if it blocks the inlet. It's case by case basis.

Tom Cardinale asked about the ditches on Country Club. In the research, will there be signage regarding parking over the ditch. There were jeeps straddling the ditches. They could leak oil. He said the sheriffs drove just pass it. Kris said we are looking to make them safe. There is no blanket requirement regarding parking on Washoe County right-of-way.

A public member asked about inspecting the ditches by the school prior to the beginning of the school year. Kris said she drove through there; she said Incline Way is deeper. It's a priority area. She said she hadn't thought about the school year. She will have traffic engineer on the school routes.

Wayne Ford said he knows the County projects were picked because they are near to Lake Tahoe. He said the project he brought up won't cost the County anything. Slotted drains need to be put in with necessary systems for infiltration and won't overwhelm the storm water system.

A public member asked about curb and gutter not implemented with infiltration basis. Kris said she wasn't part of the planning phase. There was a plan with more curb and gutter. The group that sits on design approval is technical advisory committee with regulator and Environmental Protection, forest service, state lands, TRPA, and designers. There were huddles in design. She said they went back and forth with curb and gutter design.

Kevin Lyons asked about parking created and destroyed. Kris spoke about the block inserted on Incline Way where parking occurred in the past. She said we don't considerate it parking if it was already a ditch and you needed a truck to park there. Dirt parking is a deterrent – it gets washed into the lake. We have tried to mitigate with concrete block in 2008 in Crystal Bay. It's called a stabilized shoulder, not considered parking.

7. TAHOE AREA PLAN UPDATE – A representative from Washoe County Community Services Department – Planning and Development Division will provide an update on the Tahoe Area Plan including the current status and timeline. For more information please contact Eric Young, at (775) 328- 3613, eyoung@washoecounty.us or Washoe311 at (775) 328–2003 or 3-1-1.

Ava gave an update:

- She said she gave a plan schedule out in March; currently on schedule
- In August, technical reports will be done
- We are looking at August for TRPA review of technical plans: existing conditions, reports, traffic, and urban land. Working on updating and sending them to TRPA to critique. She said they have to fill out forms.
- In November, we will initiate code amendment and master plan amendment process to get more feedback from the public.
- The document will be available in November for public review. We will have public meeting with plenty of time for public review.

8. DEVELOPMENT PROJECTS – The project description is provided below with links to the application or you may visit the Planning and Development Division website and select the Application Submittals page:

www.washoecounty.us/comdev/da/da_index.htm.

8A. Variance Case Number WPVAR17-0004 (Greenview HOA) - For possible action, hearing, and discussion to approve a variance to reduce the front yard setback from 15 feet to 1 foot and both side setback from 5 feet to 1 foot to construct 2 double car garages in the common area

- **Applicant:** Greenview HOA
- **Property Owner:** Jean Venneman , John & Doreen Maria Hash, Tao Fung, George & Nancy Learmonth
- **Location:** 692 Palmer Ct.
- **Assessor's Parcel Number:** 128-310-05
- **Staff:** Eva Krause, Planner and Julee Olander, Planner Washoe County Community Services Department Planning and Development Division • Phone: 775-328-3628 (Eva) 775-328-3627 (Julee) • E-mail: ekrause@washoecounty.us; Jolander@washoecounty.us.
- **Reviewing Body:** The following case is tentatively scheduled to be heard by the Board of Adjustment on August 3, 2017.

John Hash spoke on behalf of Greenview HOA. He said you have heard from 3 of our neighbors regarding this request. He gave some background information. Greenview was founded in 1978; there were no other PUD or garages. There was Greenview and open parking. It was summer residence only. In 2011, we bought unit #2 of Greenview HOA, then we became president of HOA. He said others moved in interested of improving the HOA with pathways lighting, defensible space, and better looking property. Mr. Smith lives to the immediate left of the subject variance. John showed pictures of the subject property. He showed where the boat is parked, there is a snow berm pushed there in the winter. He said they are never here in the winter. They would see the snow berm in the winter. A professionally built garage would enhance his view, and enhance the entire cul-de-sac. There are safety issue in winter with snow removal drivers. They didn't know if they were cars where they were pushing the snow. The snow plow drivers need to be assisted in the winter. There are three new units. And parking is a consistent issue. He said he met with Washoe County sheriff deputies about parking, and worked with alpine towing for signage. He said Mr. Smith had two ski-doods parked in their parking spot with gasoline. He said we are trying to police it, but it's not effective. We have had cars towed. That puts us in a bad situation. Carl had people with 7 cars. They parked all the way around the unit.

Gerry Eick said he needs him to be specific about the hardship reasons for variance. Andy Wolf said there are specified codes for the variance, please articulate under the categories.

John said garage #2 is what they are objecting to. It's a hardship request. There are elderly people in there. During the winter, it's an issue. We have a fulltime residents every winter. It's a hardship. The County provides for variance based on a hardship. John said he said everyone has spoke in favor of the garage, just not in the location. Rob Lorrie came out with Foretress to analyze the location.

Gerry Eick said Garage #2 is to the left and Garage #1 is to the right. John said he doesn't own sufficient property in common area for it to be in location of #1. He said it's a Nevada conservancy lot. John said he feels they will look good in proposed location. He said they can look good without aggravations of neighbors.

Tom Cardinale asked about a fire department representative in support of either side. He said he would like to see some fire advisement. John said that will come later, after variance has been approved.

Gerry Eick asked Eva for a staff report. He said it's a challenge, there is a technical purpose, it doesn't seem to be fundamental purpose. Conditions of approval will state fire codes that need to be in compliance. Eva said in regard to hardships, it's hardship of the land. Eva said there isn't enough land on the other side of the property. It's an awkward shape. It's difficult to build on this lot.

DJ Smith said we believe with removal of tree, there will be space for 3 or 4 garages. It will cost money. There will be a big problem. He referenced the pictures he provided with roof line. If you put a structure there, there won't be a place for snow to go. It will fill up the space between condo and new garage because of the slopes of the roof. 3-4 feet of space is not going to be allowed. We understand the hardships. There is no where to put the garages, except the right side. It will cost more. It will be easier, cheaper to put it in the flat spot but there is a safety issue. He said there is an issue with conservancy land. They will never grant it. We are sympathetic to the issue. He said it will create a wall. He said there are 5 windows with direct view that will be impacted. Judy Miller asked about off street parking for those condos. He said what we do, we park in front of the garage and around the complex.

Andy Wolf asked Eva about a similar project on Christina Drive and hardship of the land. He asked if the location and improvements is considered a hardship of the land, and if they are factored in when giving a variance. She said it impedes it and is part of the reason it's a hardship. They were developed a long time ago. We have tried to accommodate the hardships for winter and garages; because how the houses are built on this lot, there isn't a lot of room on either side. The way the property is laid out, it's a wedge shape pie. Both sides would be an impediment. The existing building can be a hardship.

Andy Wolf asked about private CCRs that have setbacks for this area. Eva said CCRs goes with HOA, but there isn't for this property. Most of the time they don't have setbacks for rear; and she said she would have checked it under the code. They could reduce them 15 feet in regards to slope. That's why we are here to address the setback reduction.

DJ Smith said as homeowners, we looked into this. He said it would require work and cost a lot of money for alternate location. DJ said we need to find out if we have a view easement as part of the CCRs. Andy reviewed the site plan and tree with sign.

MOTION: Andy Wolf moved to recommend denial of this variance. Gerry Eick seconded the motion to deny this variance request. Gerry said he is sympathetic with the hardship, but he said the setback is too close. He said he is concerned of putting something within 1 foot of the property line. Kevin Lyons said he hasn't been to the property. If there is better way of doing

it, he recommended the comments are forwarded to the decision making body. Kevin opposed the motion of denial. The motion passed 4 to 1.

8B. [Variance Case Number WPVAR17-0005 \(McLendon Residence\)](#) - For possible action, hearing and discussion to approve a variance to reduce the required front yard setback from 20-feet to 3-feet for the garage portion of a new residence.

- **Applicant/Developer:** Walton AE Attn: Tara Santos
- **Property Owner:** Bryon and Tania McLendon 2006 Trust
- **Location:** 487 Eagle Drive, approximately 600 feet south of its intersection with Cross Bow
- **Assessor's Parcel Number:** 131-224-07
- **Staff:** Kelly Mullin, Planner Washoe County Community Services Department Planning and Development Division, Phone: 775-328-3608, Email: Kmullin@washoecounty.us.
- **Reviewing body:** The following case is tentatively scheduled to be heard by the Board of Adjustment on August 3, 2017.

Andy Wolf recused himself from discussion since this project is in relation with his law firm.

Clara Walton with Walton Engineering gave an overview:

The applicant is requesting front setback from 20 to 3 feet for construction of a garage.. She showed the site plan. There is an area of SEZ that is unbuildable with 25% downslope on the property. She said they are working to build a garage with a 3 feet setback which will leave ample space to the road.

Pete Todoroff asked about feedback from the neighbors. Clara said she spoke with the neighbor about the SEZ and height requirements. Clara said the plan isn't encroaching into the side setback. The part the neighbors are speaking of is actually the front setback. Pete said the neighbors ask to move the property south. Clara said they are restricted with SEZ and slope.

Gerry Eick asked if retaining wall is encroaching on the setback. Clara said it's permitted use, but not part of it. It's for grading.

Public Comment

Bill Simmons said he is the neighbor, and lived there for 12 years. He said they don't have issue with conversation about the set back providing the front yard and doesn't impede into the side yard. The issue is the clear cut of trees and he said he doesn't believe it has to do with setback. It's the driveway location.

Mrs. Simmons said she built her property from scratch, so she understands the rules and regulations. She said the side is a concern for us. There are a lot of trees removed already. There is a solution. We as neighbors want to work together. We don't want to have conflict. We want to be recognized. In Nevada, trees that are 24 inches in diameter, you can't cut down, unless it's in the way. She said she would like to know about the plans with landscaping and how it impacts their property. She said she wants the integrity to be upheld. She said the neighbors knew about SEZ and restrictions when they bought the property.

Tom Cardinale said the maximum size for a tree is 14 inches unless deemed a dangerous tree and would require permission with TRPA and the fire department. Ava said you need permission to remove a tree that measured 14 inches in diameter, and 24 inches is considered old. You really need to have a good reason to remove a 24 inch tree. Eva said TRPA doesn't look at variances.

MOTION: Judy Miller recommended submitting comments and individual evaluations on this project. Kevin Lyons seconded the motion to submit comments and individual evaluations. Motion passed unanimously.

8C. Variance Case Number WPVAR17-0006 (The Chalets) – For possible action, hearing, and discussion to approve a variance to reduce the front yard setback from 15 feet to 3 feet, 8 inches to construct a 5 vehicle carport.

- **Applicant/Property Owner:** The Chalets HOA
- **Location:** 944 Northwood Blvd.
- **Assessor's Parcel Number:** 131-290-00
- **Staff:** Eva Krause, Planner and Julee Olander, Planner Washoe County Community Services Department Planning and Development Division • Phone: 775-328-3628 (Eva) 775-328-3627 (Julee) • E-mail: ekrause@washoecounty.us; Jolander@washoecounty.us.
- **Reviewing Body:** The following case is tentatively scheduled to be heard by the Board of Adjustment on August 3, 2017

Gerry Eick said for this particular project, he will recuse himself from commenting and voting for this project due to his position with IVGID.

Justine, project representative, gave an overview:

- Requesting setback variance for the existing parking lot from 15 foot down to 3 feet.
- Slope goes up to Northwood
- Trees are 14 -24 inches which are a consideration
- She showed existing carport on hillside.
- There is an SEZ on site.
- The parking lot pre-dates the TRPA SEZ. Pushing coverage onto the classic zone.
- TRPA did a site assessment with trees and SEZ. They were supportive of that with movement towards the classics.
- She showed the site plan assessment with the stream zone.

Public comment:

Brent Terry, the president of HOA said we have had issues with golf balls. He said they have spoken with the association and with IVGID. We said they have had damage to our cars. He said they have put up signs and we are working it out. He said they would like to put their cars out of harm's way. That's why we requesting this project. He said they worked with the golf course for the last year and a half. Hopefully it will be taken care of.

Tom Cardinale asked if any of the neighbors had any issues with the proposed roofs of the parking lot. Brent said some residents from Third Creek came to look at it, and they said they don't have any issue with the proposed project. Tom said if the golf balls are coming from the golf club, why doesn't IVGID raise the nets. Ava said TRPA doesn't want anything higher than tree canopy. She said she doesn't believe the nets exceed the tree canopy. Brent said Michael McCloskey has been very gracious. We called off our attorneys. It doesn't do anyone any good to go that route. We put out signs. There needs to be a ball monitor. We had 300 balls in our neighborhood. Judy asked if IVGID will pay for part of it. Brent said they should.

Andy Wolf said there is hardship of the land with SEZ and golf balls entering in the area, and location of existing use. There is basis of approval. Kevin said he agreed. It is reasonable thing to do.

MOTION: Andy Wolf moved to approve the project. Pete Todoroff seconded the motion to approve the project. Motion passed unanimously.

9.*COUNTY UPDATE – Dana Searsy, Management Analyst from the Office of the County Manager will provide an update on County services and is available to answer questions and concerns. Please feel free to contact the Office of the County Manager at (775) 328-2000. To sign up to receive email updates from the County visit www.washoecounty.us/cmail. *(This item is for information only and no action will be taken by the CAB).*

Dana Searsy introduced herself. She said she has been with the County for 4 months.

- Pete asked her about senior resources/center. She will go back and get clarification and an update with plan and timeline. She will find out about the \$75,000. Gerry said the commissioner spoke about it at the May community meeting, and Kevin Schiller departure has slowed the process. Tom Cardinale said he understood a lot of the money came from Department of Transportation. He said he thought he heard tonight that they didn't have any money. Dana said it's still a priority.
- Dana said Kate Thomas has taken over for Kevin Schiller.
- Tomorrow is a public hearing at Board of County Commissioners' meeting at 10am; there will be an appeal for denial for Fisher project WVAR17-0002 for the project located at 567 Alden Lane.
- Road construction projects – (RTC and Washoe County) – chip sealing. They will put door hangers 48 hours in advance. They wanted to fix the ditches prior to conducting the road sealing.
- Next meeting: September 25 with chair and vice chair elections.
- Pete said we had a weekly Bonanza meeting that were cancelled. Pete said he wanted the CAB meetings publicized. It hasn't been put in the paper for the last two meetings. At least a press release to the paper.
- Judy Miller said she isn't going to be here September meeting.
- Tom Cardinale thanked Michelle Bello for being here.

10. *CHAIRMAN/BOARD MEMBER ITEMS/NEXT AGENDA ITEMS - This item is limited to announcements by CAB members and topics/issues posed for future workshops/agendas. *(This item is for information only and no action will be taken by the CAB).*

- Gerry wanted to thank the County Staff for coming up for the May community forum. Those who attended the meeting learned a lot from the presentations. The one-on-one sessions were effective. Gerry thanked Michelle for attending and discussing the abandoned cars on Oriole way. It would not have happened if we didn't discuss it at the forum. Judy thanked her too for the abandoned car removal. Michelle said it's a constant challenge.
- Gerry asked for an alternate parking rule presentation for September in time for winter. Rich Thompson or Eric Crump.
- Andy asked staff about leaf blowers from parcel to parcel. He would like a county health department representative about air and water quality.
- Tom asked about parking; with the ditches, you will lose parking. He said he wants an update regarding parking. Gerry said that's why there is sensitivity to the area plan – access and mobility. It's the key to getting going on the next stage of what we need. Gerry said the maps they are submitting to TRPA will address these zoning issues. Kevin said he wants data on parking if we are losing it or are they adding it where there are curbs.

11. *PUBLIC COMMENT – Limited to no more than three (3) minutes. Anyone may speak pertaining to any matter either on or off the agenda. The public are requested to submit a Request to Speak form to the Board Chairman. Comments are to be addressed to the Board as a whole.

Tim Lampe said he is a small business man in town. He said he is a supporter of the community. He missed the update regarding of the safety of ditches. He thanked the board for being here. He said it's pertaining to the environmental project. It's changing our community. He said he is in support of them BMPs, as the construction continues, he has noticed inconsistencies. It's a moat, not a ditch. There are trenches. He said there are hundreds of yards of this. It's a waste of water. They killed hundreds of parking spots. He said he wished the engineer was here. He said we need your voice. We love this community. It's a moat around the school. It's not a drainage ditches, it's a moat. He said he has worked in several master plans. It's crushed Incline with esthetics. No city center or no parking when this village was built. This got missed.

Wayne Ford said his comment is about the board and what we see. Wayne said he noticed Gerry's comments during the variances. We are looking at health, safety, and welfare. And it's often ignored. When there was a project with 5 stories, they allowed documents to come in from unlicensed individuals – they were guilty for practicing without a license. People have the right to write their own plans and hire consultants; but what if the consultants don't have a license. Hopefully that will help when someone comes in as an expert to be held accountable. It took a year to get it enforced and generated. Remind the County and jurisdictions to actually hold them accountable when they are putting a letter head on a set of plans. TRPA is notorious for ignoring that. He can provide a copy of the letter.

ADJOURNMENT- Meeting adjourned at 8:02 p.m.

Number of CAB members present: 6

Number of Public Present: 36

Presence of Elected Officials: 0

Number of staff present: 2

Submitted By: Misty Moga